

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Action mailed on September 15, 2010, and the references cited therewith.

Claims 1, 24, 44, and 51 are amended, no claims are canceled, and no claims are added; as a result, claims 1, 4-5, 8-10, 24, 26-27, 30, 44, and 46-51 are now pending in this application.

§103 Rejection of the Claims

Claims 1, 4-5, 8, 24, 26-27, 30, 44, 46-48, and 51 were rejected under 35 USC § 103(a) as being unpatentable over Chow (U.S. Publication No. 2002/0156720) in view of Bhuyan (U.S. Patent No. 7,158,998), further in view of Rousseau (U.S. Publication No. 2003/0040997). Applicant respectfully traverses the rejection as follows.

Applicant respectfully submits that the Chow, Bhuyan, and Rousseau references, alone or in combination, do not teach or suggest each element in claims 1, 8, and 15, as currently amended.

Chow appears to teach an automated real-time account application process (Para. [0025], ln. 1-2). Chow states, that, in general, the applicant selects account type and preferences and the submits personal data (e.g. name, address, income, employment, etc.) for processing (Para. [0025], ln. 8-10).

Bhuyan appears to teach a put transaction intercepted and communicated from an application to a database driver (Abstract). Bhuyan states that when one of the target database and the backup database is an unavailable database, the transaction is recorded in a file,... [and] when the unavailable database becomes an available database, the transaction is committed to the available database (Col. 2, ln. 5-9). Bhuyan further states, "that the applications 206, 210 communicate with their primary and backup databases by way of replication drivers 208, 209 respectively" Bhuyan appears to teach data replication for applications.

Rousseau appears to teach a system for facilitating the opening of accounts by a plurality of backend systems (Abstract). Rousseau states that pre-validation of customer information (i.e., address validator) allows the backend to distribute an account number to the customer in real time when the backend systems are unavailable. (Para. [0012], ln. 16-19) However, the Chow, Bhuyan, and Rousseau references, alone or in combination, do not appear to teach or suggest, among other things, validating customer bank account information using a rules engine to manipulate a series of bank rules when the host processing system is unavailable.

In contrast, Applicant's independent claims 1 recites, in part:

- receiving database transaction instructions from said customer relating to said electronic account wherein one of the database transaction instructions includes funding said electronic account;
- utilizing said electronic account, executing said database transaction instructions;
- creating a log of executed database transactions associated with said electronic account;
- determining that said host processing system is available;
- retrieving said electronic account from said temporary repository;
- copying said electronic account and said log of executed database transactions to said host processing system; and
- validating customer bank account information using a rules engine to manipulate a series of bank rules when the host processing system is unavailable to allow for funding said electronic account.

Claim 24, recites:

- receiving database transaction instructions from said customer relating to said electronic account wherein one of the database transaction instructions includes funding said electronic account;
- utilizing said electronic account, executing said database transaction instructions;
- creating a log of executed database transactions associated with said electronic account;
- determining that said host processing system is available;

retrieving said electronic account from said temporary repository;
providing said electronic account and said log of executed database transactions associated with said account to said host processing system; and
validating customer bank account information using a rules engine to manipulate a series of bank rules when the host processing system is unavailable to allow for funding said electronic account.

Claim 44, recites:

receiving database transaction instructions from said customer relating to said electronic account wherein one of the database transaction instructions includes funding said electronic account;
utilizing said electronic account, executing said database transaction instructions;
creating a log of executed database transactions associated with said electronic account;
determining that said host processing system is available;
retrieving said electronic account from said temporary repository;
copying said electronic account and said log of executed database transactions to said host processing system; and
validating customer bank account information using a rules engine to manipulate a series of bank rules when the host processing system is unavailable to allow for funding said electronic account.

Claim 51, recites:

receiving database transaction instructions from said customer relating to said electronic account wherein one of the database transaction instructions includes funding said electronic account;
utilizing said electronic account, executing said database transaction instructions;
creating a log of executed database transactions associated with said electronic account;
determining that said host processing system is available;
retrieving said electronic account from said temporary repository;
copying said electronic account and said log of executed database transactions to said host processing system; and
validating customer bank account information using a rules engine to manipulate a series of bank rules when the host

processing system is unavailable to allow for funding said electronic account.

As such, the Applicant respectfully submits that the Chow, Bhuyan, and Rousseau references, either alone or in combination, do not teach or suggest each element in claims 1, 24, 44, and 51, as currently amended. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103(a) rejection of independent claims 1, 24, 44, and 51 as amended, as well as those claims that depend therefrom.

Claims 9-10 and 49-50 were rejected under 35 USC § 103(a) as being unpatentable over Chow (U.S. Publication No. 2002/0156720) in view of Bhuyan (U.S. Patent No. 7,158,998), further in view of Rousseau (U.S. Publication No. 2003/0040997), further in view of Applicant admitted prior art. Applicant respectfully traverses the rejection as follows.

Claims 9-10 and 49-50 directly or indirectly depend from independent claims 1 and 44, respectively. As presented above, Applicant respectfully submits that independent claims 1 and 44, as currently amended are in condition for allowance. Applicant respectfully submits that Applicant's alleged admission of prior art does not cure the deficiencies of the Chao, Bhuyan, and Rousseau references.

That is, the Chao, Bhuyan, and Rousseau references along with the Applicant's alleged admission of prior art, individually or in combination, do not teach or suggest, among other things, validating customer bank account information using a rules engine when the host processing system is unavailable, as recited in Applicant's independent claims 1 and 44, as currently amended. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §103 rejection of dependent claims 9-10 and 49-50.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's below listed attorney at (612) 236-0121 to facilitate prosecution of this matter.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being electronically deposited with the United States Patent and Trademark Office on this 25 day of February, 2011.

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